

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.9435 of 2013

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for respondent Nos.1 and 2.

2. The prayer sought in the writ petition is as under:-

“...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondent police in not taking any action on the complaint on 30-11-2012 given by the petitioner against the unofficial respondents, in spite of the repeated visits, as being illegal, arbitrary and unjust, and consequently direct the Respondent police to forthwith act upon the complaint dt.30-11-2012 and to take immediate action in accordance with law, and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. During the course of arguments, learned Government Pleader brought to the notice of this Court that pursuant to the complaint, dated 30.11.2012, submitted by the petitioner, a case in Crime No.113 of 2013 was registered on 14.05.2013. After investigation, a final report was filed on 10.08.2013 referring as ‘lack of evidence’ and the case was closed.

4. If that be the case, if the petitioner is aggrieved by the final report or if he has any objections to the same, the remedy available to the petitioner is to file a protest application before the same Court.

Therefore, this Court is of the opinion that no further cause would survive in the writ petition.

5. Accordingly, the writ petition is dismissed. However, liberty is given to the petitioner to file protest application, if the notice of the final report is not given to the petitioner at the time of filing in the Court on 10.08.2013.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

6th November 2019

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P. KESHAVA RAO, J

